

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2016-0119 (3119 E Howard Lane)

REQUEST:

Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 3119 East Howard Lane from interim-rural residence (I-RR) district zoning to warehouse-limited office (W/LO) combining district zoning, with conditions.

DISTRICT AREA: 1

PROPERTY OWNER: Peter Pham Phuong

AGENT: Jeffrey Ashorn

DEPARTMENT COMMENTS:

The property in question is currently undeveloped. The applicant is requesting permanent zoning for this site. This property was annexed by the City of Austin on December 31, 2007 (Case C7a-07-024). Upon annexation, the property received an interim rural residence district designation. The applicant is seeking LI, Limited Industrial District, zoning to develop a Light Manufacturing/Warehouse use on the property.

The staff is recommending W/LO, Warehouse Limited Office, zoning for this site. The proposed W/LO zoning will allow for low intensity office and warehouse uses on a tract of land that fronts onto an arterial roadway, East Howard Lane. The zoning will provide a transition across Howard Lane, to the planned residential uses to the north in the platted Cantarra Residential Neighborhood and to the east to the Mixed Residential Area in the Pioneer Crossing PUD.

The applicant agrees with the City Council's motion at 1st reading.

DATE OF FIRST READING/VOTE:

January 26, 2017/ Approved W/LO zoning, with conditions on consent on 1st reading (11-0);
D. Garza-1st, P. Renteria-2nd.

CITY COUNCIL DATE: March 2, 2017

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Sirwaitis

PHONE: 512-974-3057

sherri.sirwaitis@austintexas.gov

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0119 (3119 E Howard Lane)

Z.A.P. DATE: December 20, 2016
January 3, 2017

ADDRESS: 3119 East Howard Lane

DISTRICT AREA: 1

OWNER/APPLICANT: Peter Pham Phuong

AGENT: Jeffrey Ashorn

ZONING FROM: I-RR

TO: LI

AREA: 10 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant W/LO, Warehouse Limited Office, zoning.

The staff's recommendation includes a condition that if the requested zoning is granted, then 57 feet of right-of-way should be dedicated existing centerline of E. Howard Lane through a street deed to the City of Austin prior to third reading of this zoning case at City Council in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

ZONING AND PLATTING COMMISSION RECOMMENDATION:

12/20/16: Postponed to January 3, 2017 at the applicant's request (8-0, D. Breithaupt, A. Denkler, S. Harris-absent); T. Weber-1st, G. Rojas-2nd.

1/03/17: Approved staff's recommendation of W/LO zoning (6-3, A. Denkler, J. Kiolbassa, B. Greenberg-No and S. Lavani, T. Weber-absent); B. Evans-1st, S. Harris-2nd.

DEPARTMENT COMMENTS:

The property in question is currently undeveloped. The applicant is requesting permanent zoning for this site. This property was annexed by the City of Austin on December 31, 2007 (Case C7a-07-024). Upon annexation, the property received an interim rural residence district designation. The applicant is seeking LI, Limited Industrial District, zoning to develop a Light Manufacturing/Warehouse use on the property.

The staff is recommending W/LO, Warehouse Limited Office, zoning for this site. The proposed W/LO zoning will allow for low intensity office and warehouse uses on a tract of land that fronts onto an arterial roadway, East Howard Lane. The zoning will provide a transition across Howard Lane, to the planned residential uses to the north in the platted Cantarra Residential Neighborhood and to the east to the Mixed Residential Area in the Pioneer Crossing PUD.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-SF-4A	Undeveloped
<i>North</i>	I-SF-4A, SF-4A	Undeveloped: Platted Single Family Residential Lots (Cantarra Residential Subdivision)
<i>South</i>	County	Undeveloped
<i>East</i>	PUD (Pioneer Crossing PUD: Mixed Density Residential Designation)	Single Family Residence, Undeveloped
<i>West</i>	County	Single-Family Residence

AREA STUDY: N/A**TIA:** Deferred**WATERSHED:** Harris Branch**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation
 Bike Austin
 Cantarra Homeowners Association, Inc.
 Friends of Austin Neighborhoods
 Harris Branch Residential Property Owners Association
 Homeless Neighborhood Association
 North Gate Neighborhood Association
 North Growth Corridor Alliance
 Pflugerville Independent School District
 SELTEXAS
 Sierra Club, Austin Regional Group

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0167 (Cantarra Mixed Use: 13007 Cantarra Drive)	I-RR to LR-MU	3/03/15: Approved staff's recommendation of LR-MU-CO zoning with conditions, adding a new condition to prohibit Off-Site Accessory Parking on the property (6-0, G. Rojas-absent); P. Seeger-1 st , R. McDaniel-2 nd .	4/16/15: Approved LR-MU-CO zoning, include the conditions of the Planning Commission recommendation, with the exception/removing the fencing prohibition, on first reading (11- 0); G. Casar-1 st , O. Houston-2 nd . 6/11/15: Approved LR-MU-CO zoning on consent on 2 nd /3 rd readings (11-0); A. Kitchen-1 st , P. Renteria-2 nd .
C14-2008-0127 (Cantarra Commercial Zoning:	I-SF-4A to GR* *On January 7, 2009, the staff	1/20/09: Approved staff recommendation of LR zoning with conditions by consent (4-0,	2/26/09: The public hearing was closed neighborhood commercial (LR) district zoning

3112 ½ Gregg Lane)	received an e-mail from the applicant stating that they would like to amend their zoning request to the 'LR' district (Attachment A). Neighborhood Commercial zoning will permit the uses that they have listed on their TIA submittal for this case.	K. Jackson, T. Rabago, R. Evans-absent)	with TIA conditions was approved on consent on Council Member Morrison's motion, Council Member Cole's second on a 6-0 vote. Mayor Wynn was off the dais. 2/25/10: Case expired per LDC Section 25-2- 246(B). The applicant did not submit Corporate Authorization information as to who could sign the public restrictive covenant document for the TIA for this case. Therefore, this zoning case was not scheduled for 2 nd /3 rd readings to approve an ordinance and public restrictive covenant at City Council.
C14-2008-0013 (Cantarra Zoning: Gregg Lane)	I-SF-4A to Tract 1: SF-4A and Tract 2: GR	5/20/08: Approved staff's recommendation for SF-4A zoning by consent (7-0, J. Martinez-absent); K. Jackson-1 st , T. Rabago-2 nd .	7/24/08 : Approved SF-4A zoning by consent (5-0, Cole and Shade-off the dais)

RELATED CASES: C7a-07-024 (Annexation Case)

ABUTTING STREETS:

Cantarra Drive	64'	40'	Collector	No	No	No
E. Howard Lane	108'	70'	Arterial	Yes	Yes; dedicated bike lane	No

CITY COUNCIL DATE: January 26, 2017

ACTION: Approved W/LO zoning, with conditions on consent on 1st reading (11-0); D. Garza-1st, P. Renteria-2nd.

March 2, 2017

ACTION:

ORDINANCE READINGS: 1st 1/26/17

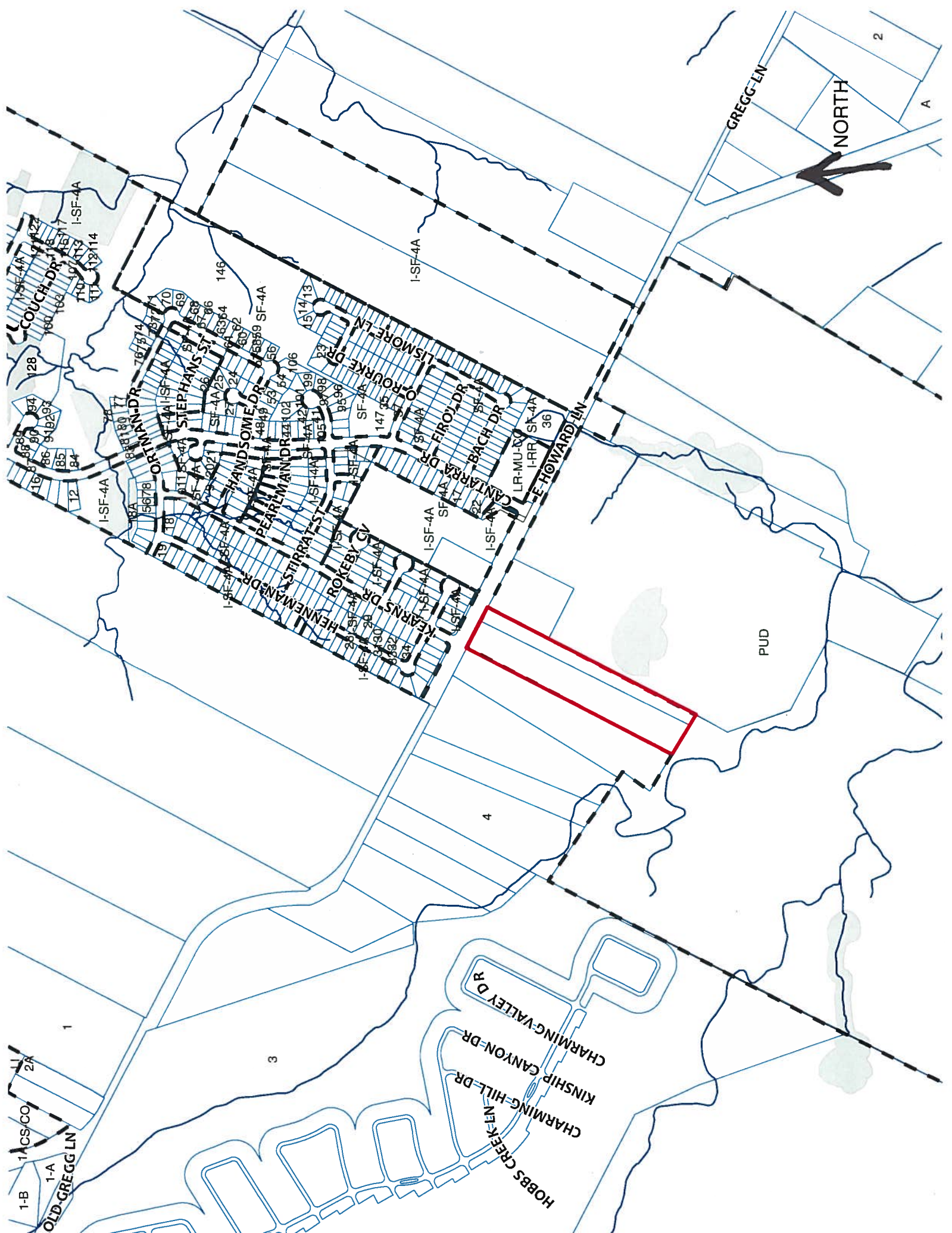
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057,
sherri.sirwaitis@austintexas.gov



NORTH

GREGG LN

PUD

4

3

2

A

CHARMING HILL DR
KINSHIP CANYON DR
CHARMING VALLEY DR

OLD GREGG LN

COUCH DR

1-B 1-A 2A 1-CS CO

128 94 86 85 84 12 18 19 113 44 111 34 110 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 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STAFF RECOMMENDATION

The staff's recommendation is to grant W/LO, Warehouse Limited Office, zoning.

The staff's recommendation includes a condition that if the requested zoning is granted, then 57 feet of right-of-way should be dedicated existing centerline of E. Howard Lane through a street deed to the City of Austin prior to third reading of this zoning case at City Council in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

BASIS FOR RECOMMENDATION

1. The proposed zoning is consistent with the purpose statement of the district sought.

Warehouse/limited office (W/LO) district is the designation for an office or warehouse use for a building trade or other business that does not require a highly visible location or generate substantial volumes of heavy truck traffic, that generates low or moderate vehicular trips, and that requires less access than a retail use. A W/LO district use may require special measures to be compatible with adjacent uses. A W/LO district use may be located on a site that is adjacent to or near an arterial or major nonresidential collector street, adjacent to a rail line, or near existing or proposed employment uses. A W/LO district use may also be located on a site that functions as a transition between commercial and industrial uses. A W/LO district use may be located adjacent to a residential use only if the density of the residential development is higher than a typical single-family density or if the physical conditions of the site allow for buffering and project design to mitigate potential adverse effects.

2. The proposed zoning should allow for a reasonable use of the property.

The W/LO zoning district would allow for a fair and reasonable use of the site because it will permit the applicant to develop a mixture of low intensity office and warehouse uses on a site that fronts onto an arterial roadway, East Howard Lane, adjacent to proposed residential uses to the north and east.

EXISTING CONDITIONS

Site Characteristics

The site a under consideration is a sparsely vegetated, undeveloped tract of land.

Comprehensive Planning

I-RR to LI

October 27, 2016

This zoning case is located on the south side of E. Howard Lane on a vacant parcel that is approximately **10 acres in size**. This property is not located within the boundaries of a Neighborhood Plan Area. Surrounding land uses vacant land and a single family house to the north, vacant land to the south and east, and a single family house to the west. The proposed use is a light manufacturing/warehouse use.

Connectivity: Public sidewalks are located along both sides of Howard Lane, which quickly filling up with large single family subdivision. There are no CapMetro transit stops, parks, or retail shopping areas located within walking distance to this site. The Walkscore for this property 3/100, meaning almost all errands are dependent on a car.

Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located along an **Activity Corridor** (E. Howard Lane). Page 106 of Imagine Austin states: “**Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.**” P. 106

However, the proposed use along this Activity Corridor is light manufacturing/warehouse, which Imagine Austin identifies as ideally being located within **Job Centers**. Page 107 of the IACP states, “**Job centers accommodate those businesses not well-suited for residential or environmentally sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International Airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics.** They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the Growth Concept Map offers transportation choices such as light rail and bus rapid transit to increase commuter options.”

The following Imagine Austin policies are applicable to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **LUT P3.** Promote development in compact centers, communities, **or along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P4.** Protect neighborhood character by directing growth to areas of change that include designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **LUT P20.** Locate industry, warehousing, logistics, manufacturing, and other freight-intensive uses in proximity to adequate transportation and utility infrastructure.

Analysis and Conclusion

This section of Howard Lane is quickly transitioning away from a rural road to one that is quickly filling up with large single family subdivisions but contains little in the way of goods and services to

serve people living next to this major corridor. The proposed light industrial/warehouse use along Howard Lane would be located next to an existing single family house and across the street from a platted single family subdivision. According to Imagine Austin, light industrial businesses are “not well-suited for residential or environmentally sensitive areas.” Although this Activity Corridor has large parcels of vacant land, and a few light industrial uses going west on Howard Lane, the Plan clear states that “**shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices**” are appropriate uses, but not light industrial/warehouse/freight intensive uses (which are more suited to be located within industrial parks or in Job Centers.) Based upon the proposed light manufacturing/warehouses use, this project appears to be only partially supported by Imagine Austin because of the existing light industrial uses already situated along Howard Lane (but not near this location), although a light industrial/warehouse uses is not characteristic of an Activity Corridor.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Harris Branch Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

According to floodplain maps, there is a floodplain adjacent to the project location and a Critical Water Quality Zone partially within the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Impervious Cover

The maximum impervious cover allowed by the LI zoning district would be 80%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Note: The most restrictive impervious cover limit applies.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 114 feet of right-of-way for E. Howard Lane. If the requested zoning is granted, then 57 feet of right-of-way should be dedicated existing centerline of E. Howard Lane in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

A traffic impact analysis (TIA) has been deferred to the site plan stage when more details of land use(s) and land use intensities are available. A TIA will be required at the time of site plan if the development exceeds 2000 trips per day as a single project or cumulatively if built as two projects or more.

Chad Crager, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
E. Howard Ln.	108'	70'	Arterial	Yes	Yes; dedicated bike lane	No

Water and Wastewater

FYI: The landowner intends to serve the site with City of Austin water and an onsite sewage facility. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater and or onsite sewage facility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap, impact and OSSF fees once the landowner makes an application for a City of Austin water and utility tap or OSSF permit.

Comparison Analysis		Aggressive FUD		Advising about FUD, Avoidance/Action	
Used and Used	Active	15	22	Active	26
	Passive	13	22	Passive	26
Commercial Retail	Active	20	50	Active	30
GRAM	Passive	7	12	Passive	14
Public Park	Active	16	30	Active	30
Public Park / Greenbelt	Passive	16	30	Passive	30
Open Space	Active	16	30	Active	30
	Passive	16	30	Passive	30

Property
Inquest

LEGEND

IMPERVIOUS

DEPT. OF THE ARMY

FLAVIUS

NODES

CONSERVATION

EASEMENT/

1000

1000

WATER QUALITY

TRANSITION

10

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PUT APPROVAL _____ (S of C)
 (4-02-1100)

Intermittent Bleeding and Platelet Concentration on 02/10

Date 8/11/18 Name 9947 (Print, under name)
 PSL #11, and _____ of (Number 20 is the last table)
 (Under table) 12 for every (number)

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2016/07/08 00:00

PIONEER CROSSING
ADMINISTRATIVE P.U.D. REVISION
HIKE AND BIKE NETWORK PLAN
EXHIBIT F (REVISED 11-09-06) d.

EXHIBIT F (REVISED 11-09-06) a-19-07

100

LAND USE SUMMARY	
COMMERCIAL / RETAIL	20.56 ac.
PUBLIC PARK	6.35 ac.
MIXED DENSITY RESIDENTIAL	194.95
GREENBELT / OPEN SPACE / COMM. REC.	151.2 ac.
TOTAL	374.06

PRIME INCOME
ASSET MANAGEMENT

OWNER:
AMERICAN REALTY
TRUST, INC.
ART COLLECTIONS
1000 VALLEY VIEW LN
SUITE 300
SALT LAKE CITY, UT 84143

SECTION: HINE AND HINE LANE
W.E.L.
NOTE: 100 YR FLOODPLAIN DERIVED FROM THE HYDROLOG. EMERGENCY
MANAGEMENT AGENCY
COUNTY: DUTCHMAN CITY OF ALBANY

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